

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**JOSHUA HOPKINS**

**PLAINTIFF**

**V.**

**NO. 1:21-CV-189-DMB-RP**

**CARLOCK NISSAN OF TUPELO,  
INC.**

**DEFENDANT**

**ORDER**

On June 6, 2022, Joshua Hopkins filed a second amended complaint against his former employer, Carlock Nissan of Tupelo, Inc., and its general sales manager, Kent Graham. Doc. #47. Hopkins alleges that Graham intentionally interfered with his employment and that both Carlock Nissan and Graham “are liable to [him] for associational race discrimination under 42 U.S.C. § 1981.” *Id.* at 4. The second amended complaint also contained a Title VII retaliation claim against Carlock Nissan for terminating Hopkins for reporting “what he reasonably believed, in good faith, to be sexual harassment;” however, on Carlock Nissan’s motion, the Court dismissed the retaliation claim with prejudice on November 18, 2022. *Id.*; Doc. #81.

In anticipation of trial, Hopkins filed a motion in limine seeking an order prohibiting the defendants

from mentioning to the jury, in opening or closing statements, at any time during trial, or to solicit a response from a witness that could mention: a) [he] has been convicted of one crime and pled guilty to two (2) other crimes, and has served time in prison; and b) [he] was arrested for domestic violence, but the charges were dropped.

Doc. #82. The defendants did not respond to the motion. Accordingly, the motion in limine [82] is **GRANTED** as unopposed. *See* L.U. Civ. R. 7(b)(3)(E) (“If a party fails to respond to any motion, other than a dispositive motion, within the time allotted, the court may grant the motion

as unopposed.”).

**SO ORDERED**, this 3rd day of March, 2023.

**/s/Debra M. Brown**  
**UNITED STATES DISTRICT JUDGE**